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USS Liberty (24)

CONFIDENTIAL

The USS Liberty Claims Against Israel

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The United States has received $6,889,957 from the Government of Israel in settlement of claims arising out of the Israeli attack on the USS Liberty on June 8, 1967. The Government of Israel paid the following claims in full:

a. Claims on behalf of the families of the 34 men killed in the attack - $3,323,500 (paid May 27, 1968);

b. Claims on behalf of the 164 men injured in the attack - $3,452,275 (paid April 28, 1969);

c. A claim for the costs incurred by the US Government in providing medical treatment to the injured men - $92,437 (paid April 28, 1969);

d. A claim for costs incurred by the US Government in reimbursing crew members for damaged personal property - $21,745 (paid April 28, 1969).

The only unsettled claim is the claim for $7,644,146 for damage to the ship, which is now under discussion.

Background

The USS Liberty was attacked by Israeli naval and air units on June 8, 1967 while steaming in international waters off El Arish. Thirty-four men were killed and 164 injured in the attack. The ship was extensively damaged.

In his note of June 10, 1967 to the Secretary of State, the Ambassador of Israel stated, on instruction, "that the Government of Israel is prepared to make amends for the tragic loss of life and material damage."

DEPARTMENT OF STATE A/CDS/IR
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In his note of the same date to the Ambassador of Israel, the Secretary, after reviewing the circumstances of the attack, stated the expectation of "the United States Government ... that the Government of Israel will provide compensation in accordance with international law." In his reply note, dated June 12, 1967, the Ambassador of Israel recalled that as soon as the Government of Israel became aware of the attack it informed the Government of the United States what had taken place, that the Government of Israel had "immediately assumed responsibility for this error" and taken the initiative "to offer to make amends for the tragic loss of life and material damage" and he stated that "the Government of Israel renews its readiness to make amends."

The death and personal injury claims were computed in L/C on the basis of formulae prepared in L/C and approved by the Legal Adviser. The formulae were based on studies of relevant international and domestic decisions. Information necessary for the computations was obtained from individual claimants in a questionnaire executed under oath and from medical reports. The medical expense and personal property claims were based on the actual costs incurred.

Ship Claim

The cost of restoring the USS Liberty to its pre-attack condition was fixed by Navy experts at $7,644,146, and the US presented a claim for this amount to Israel on July 1, 1968. After first taking the position that it was not liable for the damage claimed, the Government of Israel in a note of October 3, 1968, withdrew from that position and suggested that the claim for damage to the ship be discussed when all remaining US claims relating to the USS Liberty were presented. Since all other USS Liberty claims have been presented and paid, we have instructed Embassy Tel Aviv to request a reply to our note transmitting the ship claim.

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